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7 Attorneys for Plaintiff
SIGNAL IP, INC.

8
9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11 SIGNAL IP, INC., a California
12 corporation,

13 Plaintiff,

14 vs.

15 AMERICAN HONDA MOTOR CO.,
INC, a California corporation; HONDA
16 OF AMERICA MFG., INC., an Ohio
corporation,

17 Defendants.
18

Case No. 2:14-cv-2454

**COMPLAINT FOR PATENT
INFRINGEMENT**

JURY TRIAL DEMANDED

19 Plaintiff Signal IP, Inc. (“Signal IP” or “Plaintiff”) brings this Complaint
20 against Defendants American Honda Motor Co., Inc. and Honda of America Mfg.,
21 Inc. (collectively, “Honda” or “Defendants”), alleging as follows:

22 **PARTIES**

23 1. Plaintiff Signal IP is a California corporation with its principal place of
24 business at 11100 Santa Monica Blvd., Suite 380, Los Angeles, CA 90025.

25 2. On information and belief, Defendant American Honda Motor Co., Inc.
26 is a California corporation with its principal place of business at 1919 Torrance
27 Blvd., Torrance, CA 90501.

28 3. On information and belief, Defendant Honda of America Mfg., Inc. is

1 an Ohio corporation with its principal place of business at 24000 Honda Parkway,
 2 Marysville, Ohio 43040.

3 **JURISDICTION, VENUE AND JOINDER**

4 4. This action arises under the patent laws of the United States, Title 35 of
 5 the United States Code. This Court has subject matter jurisdiction pursuant to 28
 6 U.S.C. §§ 1331 and 1338(a).

7 5. This Court has personal jurisdiction over Defendants. Defendants have
 8 conducted extensive commercial activities and continue to conduct extensive
 9 commercial activities within the State of California. Defendant American Honda
 10 Motor Co., Inc. maintains its principal place of business within this judicial district.
 11 Additionally, on information and belief, Defendants, directly and/or through
 12 intermediaries (including Defendants' entities, subsidiaries, distributors, sales
 13 agents, partners and others), distribute, offer for sale, sell, and/or advertise their
 14 products (including but not limited to the products and services that are accused of
 15 infringement in this lawsuit) in the United States, in the State of California, and in
 16 this judicial district, under the "Honda" and "Acura" brand names. Defendants have
 17 purposefully and voluntarily placed one or more of their infringing products and
 18 services into the stream of commerce with the expectation that the products and
 19 services will be purchased or used by customers in California and within this
 20 judicial district. Accordingly, Defendants have infringed Signal IP's patents within
 21 the State of California and in this judicial district as alleged in more detail below.

22 6. Venue is proper in this district under 28 U.S.C. §§ 1391 and 1400(b).

23 **BACKGROUND**

24 7. Signal IP, Inc. is a California corporation with a principal place of
 25 business at 11100 Santa Monica Blvd., Suite 380, Los Angeles, CA 90025. It is the
 26 owner of the entire right, title and interest in and to U.S. Patent Nos. 5,714,927;
 27 5,732,375; 6,434,486; 6,775,601; and 6,012,007 (the "Patents-in-Suit").

28 8. On information and belief, Defendants are direct or indirect

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1 subsidiaries of global car manufacturer and distributor Honda Motor Company, Ltd.
2 (“Honda Limited”), which is headquartered in Japan. Honda Limited manufactures
3 and distributes cars under both the “Honda” and “Acura” brand names.

4 **FIRST CLAIM FOR RELIEF**

5 **(Infringement of the ‘927 Patent)**

6 9. Plaintiff incorporates paragraphs 1 through 8 of this complaint as if set
7 forth in full herein.

8 10. Signal IP is the owner of the entire right, title, and interest in and to
9 U.S. Patent No. 5,714,927 (the ‘927 Patent), entitled “Method of Improving Zone of
10 Coverage Response of Automotive Radar.” The ‘927 Patent was duly and legally
11 issued by the U.S. Patent and Trademark Office on February 3, 1998. A true and
12 correct copy of the ‘927 Patent is attached as Exhibit A.

13 11. Defendants have directly infringed and continue to infringe, literally
14 and/or under the doctrine of equivalents, the ‘927 Patent by making, using, offering
15 for sale, and/or selling in the United States certain methods or systems disclosed and
16 claimed in the ‘927 Patent, including but not limited to the Honda Blind Spot
17 Information System, used in products including but not limited to the Honda
18 Accord, Civic, Crosstour, Odyssey, Civic Hybrid, and Accord Hybrid, and in the
19 Acura MDX, RLX/RL and TL.

20 12. Defendants have contributorily infringed and are currently
21 contributorily infringing the ‘927 Patent by making, using, offering for sale, and/or
22 selling in the United States certain methods or systems disclosed and claimed in the
23 ‘927 Patent, including but not limited to the Honda Blind Spot Information System,
24 used in products including but not limited to the Honda Accord, Civic, Crosstour,
25 Odyssey, Civic Hybrid, and Accord Hybrid, and in the Acura MDX, RLX/RL and
26 TL.

27 13. Defendants have actively induced and are actively inducing the
28 infringement of the ‘927 Patent by making, using, offering for sale, and/or selling in

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1 the United States certain methods or systems disclosed and claimed in the ‘927
2 Patent, including but not limited to the Honda Blind Spot Information System, used
3 in products including but not limited to the Honda Accord, Civic, Crosstour,
4 Odyssey, Civic Hybrid, and Accord Hybrid, and in the Acura MDX, RLX/RL and
5 TL.

6 14. Defendants’ infringement of the ‘927 Patent has been and continues to
7 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

8 15. Unless enjoined by this Court, Defendants will continue to infringe the
9 ‘927 Patent.

10 16. As a direct and proximate result of the Defendants’ conduct, Plaintiff
11 has suffered, and will continue to suffer, irreparable injury for which it has no
12 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
13 issues, will continue to be damaged in an amount yet to be determined.

14 **SECOND CLAIM FOR RELIEF**

15 **(Infringement of the ‘375 Patent)**

16 17. Plaintiff incorporates paragraphs 1 through 16 of this complaint as if set
17 forth in full herein.

18 18. Signal IP is the owner of the entire right, title, and interest in and to
19 U.S. Patent No. 5,732,375 (the ‘375 Patent), entitled “Method of Inhibiting or
20 Allowing Airbag Deployment.” The ‘375 Patent was duly and legally issued by the
21 U.S. Patent and Trademark Office on March 24, 1998. A true and correct copy of
22 the ‘375 Patent is attached as Exhibit B.

23 19. Defendants have directly infringed and continue to infringe, literally
24 and/or under the doctrine of equivalents, the ‘375 Patent by making, using, offering
25 for sale, and/or selling in the United States certain methods or systems disclosed and
26 claimed in the ‘375 Patent, including but not limited to the Occupant Positioning
27 Detection System (OPDS) used in products including but not limited to the Honda
28 Accord, CR-V, CR-Z, Civic, Crosstour, Fit, Insight, Odyssey, Pilot, Ridgeline,

1 Element, FCX, Fit EV, Civic Hybrid, Insight Hybrid, Accord Hybrid, CR-Z Hybrid,
 2 and the Acura ILX, MDX, RDX, RXL/RL, TL, TSX, TSX Sedan, TSX Sport
 3 Wagon, and ILX Hybrid.

4 20. Defendants have contributorily infringed and are currently
 5 contributorily infringing the '375 Patent by making, using, offering for sale, and/or
 6 selling in the United States certain methods or systems disclosed and claimed in the
 7 '375 Patent, including but not limited to the Occupant Positioning Detection System
 8 (OPDS) used in products including but not limited to the Honda Accord, CR-V, CR-
 9 Z, Civic, Crosstour, Fit, Insight, Odyssey, Pilot, Ridgeline, Element, FCX, Fit EV,
 10 Civic Hybrid, Insight Hybrid, Accord Hybrid, CR-Z Hybrid, and the Acura ILX,
 11 MDX, RDX, RXL/RL, TL, TSX, TSX Sedan, TSX Sport Wagon, and ILX Hybrid.

12 21. Defendants have actively induced and are actively inducing the
 13 infringement of the '375 Patent by making, using, offering for sale, and/or selling in
 14 the United States certain methods or systems disclosed and claimed in the '375
 15 Patent, including but not limited to the Occupant Positioning Detection System
 16 (OPDS) used in products including but not limited to the Honda Accord, CR-V, CR-
 17 Z, Civic, Crosstour, Fit, Insight, Odyssey, Pilot, Ridgeline, Element, FCX, Fit EV,
 18 Civic Hybrid, Insight Hybrid, Accord Hybrid, CR-Z Hybrid, and the Acura ILX,
 19 MDX, RDX, RXL/RL, TL, TSX, TSX Sedan, TSX Sport Wagon, and ILX Hybrid.

20 22. Defendants' infringement of the '375 Patent has been and continues to
 21 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

22 23. Unless enjoined by this Court, Defendants will continue to infringe the
 23 '375 Patent.

24 24. As a direct and proximate result of the Defendants' conduct, Plaintiff
 25 has suffered, and will continue to suffer, irreparable injury for which it has no
 26 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
 27 issues, will continue to be damaged in an amount yet to be determined.
 28

THIRD CLAIM FOR RELIEF
(Infringement of the ‘486 Patent)

25. Plaintiff incorporates paragraphs 1 through 24 of this complaint as if set forth in full herein.

26. Signal IP is the owner of the entire right, title, and interest in and to U.S. Patent No. 6,434,486 (the ‘486 Patent), entitled “Technique for Limiting the Range of an Object Sensing System in a Vehicle.” The ‘486 Patent duly and legally issued by the U.S. Patent and Trademark Office on August 13, 2002. A true and correct copy of the ‘486 Patent is attached as Exhibit C.

27. Defendants have directly infringed and continue to infringe, literally and/or under the doctrine of equivalents, the ‘486 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems disclosed and claimed in the ‘486 Patent, including but not limited to: (1) the Honda Forward Collision Warning System, used in products including but not limited to the Honda Accord, Civic, Crosstour, Fit, Odyssey, Civic Hybrid, and Accord Hybrid; (2) the Collision Mitigation Braking System (CMBS), used in products including but not limited to the Honda Accord, Civic, Crosstour, Fit, Odyssey, Civic Hybrid, and Accord Hybrid Acura MDX and RLX/RL; and (3) the Parking Sensor System used in products including but not limited to the Honda CR-V, Civic, Crosstour, Odyssey, Pilot, Civic Hybrid, and Acura ILX, MDX, RLX/RL, and ILX Hybrid.

28. Defendants have contributorily infringed and are currently contributorily infringing the ‘486 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems disclosed and claimed in the ‘486 Patent, including but not limited to: (1) the Honda Forward Collision Warning System, used in products including but not limited to the Honda Accord, Civic, Crosstour, Fit, Odyssey, Civic Hybrid, and Accord Hybrid; (2) the Collision Mitigation Braking System (CMBS), used in products including but not limited to the Honda Accord, Civic, Crosstour, Fit, Odyssey, Civic Hybrid, and Accord Hybrid

1 Acura MDX and RLX/RL; and (3) the Parking Sensor System used in products
 2 including but not limited to the Honda CR-V, Civic, Crosstour, Odyssey, Pilot,
 3 Civic Hybrid, and Acura ILX, MDX, RLX/RL, and ILX Hybrid.

4 29. Defendants have actively induced and are actively inducing the
 5 infringement of the '486 Patent by making, using, offering for sale, and/or selling in
 6 the United States certain methods or systems disclosed and claimed in the '486
 7 Patent, including but not limited to: (1) the Honda Forward Collision Warning
 8 System, used in products including but not limited to the Honda Accord, Civic,
 9 Crosstour, Fit, Odyssey, Civic Hybrid, and Accord Hybrid; (2) the Collision
 10 Mitigation Braking System (CMBS), used in products including but not limited to
 11 the Honda Accord, Civic, Crosstour, Fit, Odyssey, Civic Hybrid, and Accord Hybrid
 12 Acura MDX and RLX/RL; and (3) the Parking Sensor System used in products
 13 including but not limited to the Honda CR-V, Civic, Crosstour, Odyssey, Pilot,
 14 Civic Hybrid, and Acura ILX, MDX, RLX/RL, and ILX Hybrid.

15 30. Defendants' infringement of the '486 Patent has been and continues to
 16 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

17 31. Unless enjoined by this Court, Defendants will continue to infringe the
 18 '486 Patent.

19 32. As a direct and proximate result of the Defendants' conduct, Plaintiff
 20 has suffered, and will continue to suffer, irreparable injury for which it has no
 21 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
 22 issues, will continue to be damaged in an amount yet to be determined.

23 **FOURTH CLAIM FOR RELIEF**

24 **(Infringement of the '601 Patent)**

25 33. Plaintiff incorporates paragraphs 1 through 32 of this complaint as if set
 26 forth in full herein.

27 34. Signal IP is the owner of the entire right, title, and interest in and to
 28 U.S. Patent No. 6,775,601 (the '601 Patent), entitled "Method and Control System

1 for Controlling Propulsion in a Hybrid Vehicle.” The ‘601 Patent was duly and
 2 legally issued by the U.S. Patent and Trademark Office on August 10, 2004. A true
 3 and correct copy of the ‘601 Patent is attached as Exhibit D.

4 35. Defendants have directly infringed and continue to infringe, literally
 5 and/or under the doctrine of equivalents, the ‘601 Patent by making, using, offering
 6 for sale, and/or selling in the United States certain methods or systems for hybrid
 7 vehicles disclosed and claimed in the ‘601 Patent, including but not limited to: (1)
 8 the hybrid versions of the Honda Insight, Civic, CR-Z, and Fit; (2) the Sport Hybrid
 9 Intelligent Multi-Mode Drive (i-MMD) System, used in products including but not
 10 limited to the 2014 Honda Accord Hybrid and Plug-In Hybrid Accord; and (3) the
 11 Super Handling All-Wheel Drive, used in products including but not limited to the
 12 Acura RLX Sport Hybrid.

13 36. Defendants have contributorily infringed and are currently
 14 contributorily infringing the ‘601 Patent by making, using, offering for sale, and/or
 15 selling in the United States certain methods or systems disclosed and claimed in the
 16 ‘601 Patent, including but not limited to: (1) the hybrid versions of the Honda
 17 Insight, Civic, CR-Z, and Fit; (2) the Sport Hybrid Intelligent Multi-Mode Drive (i-
 18 MMD) System, used in products including but not limited to the 2014 Honda
 19 Accord Hybrid and Plug-In Hybrid Accord; and (3) the Super Handling All-Wheel
 20 Drive, used in products including but not limited to the Acura RLX Sport Hybrid.

21 37. Defendants have actively induced and are actively inducing the
 22 infringement of the ‘601 Patent by making, using, offering for sale, and/or selling in
 23 the United States certain methods or systems disclosed and claimed in the ‘601
 24 Patent, including but not limited to: (1) the hybrid versions of the Honda Insight,
 25 Civic, CR-Z, and Fit; (2) the Sport Hybrid Intelligent Multi-Mode Drive (i-MMD)
 26 System, used in products including but not limited to the 2014 Honda Accord
 27 Hybrid and Plug-In Hybrid Accord; and (3) the Super Handling All-Wheel Drive,
 28 used in products including but not limited to the Acura RLX Sport Hybrid.

38. Defendants' infringement of the '601 Patent has been and continues to be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

39. Unless enjoined by this Court, Defendants will continue to infringe on the '601 Patent.

40. As a direct and proximate result of the Defendants' conduct, Plaintiff has suffered, and will continue to suffer, irreparable injury for which it has no adequate remedy at law. Plaintiff also has been damaged and, until an injunction issues, will continue to be damaged in an amount yet to be determined.

FIFTH CLAIM FOR RELIEF

(Infringement of the '007 Patent)

41. Plaintiff incorporates paragraphs 1 through 40 of this complaint as if set forth in full herein.

42. Signal IP is the owner of the entire right, title, and interest in and to U.S. Patent No. 6,012,007 (the '007 Patent), entitled "Occupant Detection Method and Apparatus for Air Bag System." The '007 Patent was duly and legally issued by the U.S. Patent and Trademark Office on January 4, 2000. A true and correct copy of the '007 Patent is attached as Exhibit E.

43. Defendants have directly infringed and continue to infringe, literally and/or under the doctrine of equivalents, the '007 Patent by making, using, offering for sale, and/or selling in the United States certain methods or systems for hybrid vehicles disclosed and claimed in the '007 Patent, including but not limited to the Supplemental Restraint System (SRS) Airbags with weight sensors, used in products including but not limited to the Honda Accord, CR-V, CR-Z, Civic, Crosstour, Fit, Insight, Odyssey, Pilot, Ridgeline, Element, FCX, Fit EV, Civic Hybrid, Insight Hybrid, Accord Hybrid, and CR-Z Hybrid, and Acura ILX, MDX, RDX, RLX/RL, TL, TSX, TSX Sedan, TSX Sport Wagon, and ILX Hybrid.

44. Defendants have contributorily infringed and are currently contributorily infringing the '007 Patent by making, using, offering for sale, and/or

1 selling in the United States certain methods or systems disclosed and claimed in the
 2 '007 Patent, including but not limited to the Supplemental Restraint System (SRS)
 3 Airbags with weight sensors, used in products including but not limited to the
 4 Honda Accord, CR-V, CR-Z, Civic, Crosstour, Fit, Insight, Odyssey, Pilot,
 5 Ridgeline, Element, FCX, Fit EV, Civic Hybrid, Insight Hybrid, Accord Hybrid, and
 6 CR-Z Hybrid, and Acura ILX, MDX, RDX, RLX/RL, TL, TSX, TSX Sedan, TSX
 7 Sport Wagon, and ILX Hybrid.

8 45. Defendants have actively induced and are actively inducing the
 9 infringement of the '007 Patent by making, using, offering for sale, and/or selling in
 10 the United States certain methods or systems disclosed and claimed in the '007
 11 Patent, including but not limited to the Supplemental Restraint System (SRS)
 12 Airbags with weight sensors, used in products including but not limited to the
 13 Honda Accord, CR-V, CR-Z, Civic, Crosstour, Fit, Insight, Odyssey, Pilot,
 14 Ridgeline, Element, FCX, Fit EV, Civic Hybrid, Insight Hybrid, Accord Hybrid, and
 15 CR-Z Hybrid, and Acura ILX, MDX, RDX, RLX/RL, TL, TSX, TSX Sedan, TSX
 16 Sport Wagon, and ILX Hybrid.

17 46. Defendants' infringement of the '007 Patent has been and continues to
 18 be willful, rendering this case exceptional within the meaning of 35 U.S.C. § 285.

19 47. Unless enjoined by this Court, Defendants will continue to infringe on
 20 the '007 Patent.

21 48. As a direct and proximate result of the Defendants' conduct, Plaintiff
 22 has suffered, and will continue to suffer, irreparable injury for which it has no
 23 adequate remedy at law. Plaintiff also has been damaged and, until an injunction
 24 issues, will continue to be damaged in an amount yet to be determined.

PRAYER FOR RELIEF

25
 26 Wherefore, Signal IP respectfully requests that the Court enter judgment
 27 against Defendants as follows:

28 1. That Defendants have directly infringed the Patents-in-Suit;

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- 1 2. That Defendants have contributorily infringed the Patents-in-Suit;
2 3. That Defendants have induced the infringement of the Patents-in-Suit;
3 4. That Defendants' infringement be adjudged willful and deliberate;
4 5. That Defendants and their affiliates, subsidiaries, officers, directors,
5 employees, agents, representatives, successors, assigns, and all those acting in
6 concert, participation, or privity with them or on their behalf, including customers,
7 be enjoined from infringing, inducing others to infringe or contributing to the
8 infringement of the Patents-in-Suit;
9 6. For damages, according to proof, for Defendants' infringement,
10 together with pre-judgment and post-judgment interest, as allowed by law and that
11 such damages be trebled as provided by 35 U.S.C. § 284;
12 7. That this Court determine that this is an exceptional case under 35
13 U.S.C. § 285 and an award of attorneys' fees and costs to Signal IP is warranted;
14 and
15 8. For such other and further relief as the Court may deem just and proper.

17 Dated: April 1, 2014

LINER LLP

19
20 By: /s/ Ryan E. Hatch

21 Randall J. Sunshine

22 Ryan E. Hatch

23 Jason L. Haas

24 Attorneys for Plaintiff SIGNAL IP, INC.
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JURY DEMAND

Pursuant to Federal Rules of Civil Procedure Rule 38(b), Plaintiff Signal IP, Inc. respectfully demands a jury trial on any and all issues triable as of right by a jury in this action.

Dated: April 1, 2014

LINER LLP

By: /s/ Ryan E. Hatch
Randall J. Sunshine
Ryan E. Hatch
Jason L. Haas
Attorneys for Plaintiff SIGNAL IP, INC

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